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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,197	01/22/2002	Sung-Joo Kim	Q66435	9678
7590 06/28/2007 SUGHRUE MION, PLLC Suite 800 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3213			EXAMINER PENG, FRED H	
			ART UNIT 2623	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/051,197	Applicant(s) KIM, SUNG-JOO	
	Examiner Fred Peng	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 28-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 28-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed on 04/30/2007 have been fully considered but they are not persuasive.

Applicant argues on page 5 lines 17-19 of Remarks that according to independent claims 28, 32, 35 and 36, a received list of images is displayed. Billock (U.S. Patent No. 5,619,249), on the other hand, displays only one image at a time, and thus cannot anticipate independent claims 28, 32, 35 and 36.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., display a list of images at the same time) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant further argues that dependent claim 29 is patentable over the applied art. Claim 29 requires that the list of text data disappears from the screen, and a list of images corresponding to the list of text data appears, so that search of video data is carried out on the list of images.

The examiner also disagrees with applicant's arguments. Billock does teach the list of text data disappears from the screen, and a list of images corresponding to the list of text data appears, so that search of video data is carried out on the list of images (FIG.7, -42; the list of text data disappears from the screen when play the preview video corresponding to the list of text data).

### *Claim Objections*

2. Claim 32 is objected to because of the following informalities: "transmitting to the server" should be "transmitting from the server". Appropriate correction is required.

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***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 28-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Billock et al (US 5,619,249).

Regarding Claims 28 and 32, Billock discloses a method of a device and a server for searching and providing video data, the method comprising:

generating, transmitting and receiving from a server a list of texts corresponding to a plurality of video data, and displaying the received list of texts (FIG.6, -44; Col 9 lines 32-36);

if a user command requesting an image of video data relating to the list of texts is received, receiving from the server a list of images relating to the list of texts and displaying the received list of images (FIG.3, -46; Col 9 lines 29-32, 43-53; user scans through the program list 44 using Up 58 and Down 60 buttons and display the corresponding list of images 46); and

transmitting and receiving from the server video data related with an image selected from the list of images according to a selection command (FIG.6, -62; Col 10 lines 54-59),

wherein the list of images includes a plurality of images corresponding to main scenes of the plurality of video data (Col 9 lines 47-50).

Regarding Claim 29, Billock further discloses the receiving the list of images comprises, if the user command requesting an image of video data related with the list of texts is received, receiving from the server the list of images relating to the list of texts and displaying the received

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list of images, without displaying the list of texts (FIG.7, -42; the list of text data disappears from the screen when play the preview video corresponding to the list of text data).

Regarding Claims 30 and 33, Billock further discloses the list of texts is a list of video titles of the plurality of video data (FIG.6, -44; Col 10 lines 36-40).

Regarding Claims 31 and 34, Billock further discloses the list of video titles is searched using one of a category (FIG.6, -50) and a keyword.

Regarding Claim 35, Billock discloses a device comprising:

a receiving unit (FIG.1, -14), which receives from a server (-12) a list of texts corresponding to a plurality of video data (FIG.6, -44; Col 9 lines 32-36), receives a list of images relating to the list of texts (FIG.6, -46; Col 9 lines 29-32, 43-53), without displaying the list of texts if a user command requesting an image of video data related with the list of texts is received (FIG.7, -42), and receives video data from the server relating to an image selected from the list of images according to a selection command (FIG7, -62; Col 10 lines 54-59),

wherein the list of images is a list of a plurality of images corresponding to main scenes of the plurality of video data (Col 9 lines 47-50).

Regarding Claim 36, Billock discloses a server comprising:

an editing unit (FIG.2, -24, -26) which stores a plurality of video data, and generates texts and images corresponding to the plurality of video data (FIG.3; Col 5 lines 46-64);

a preview encoder (FIG.2, -22) which generates a list of the generated texts and a list of the generated images, respectively (FIG.3, FIG.6; Col 9 lines 32-36); and

a transmitting unit (FIG.2, -20) which transmits the list of the texts to a device, and if a user command requesting an image related with the list of the texts is received, transmits the list of the images to the device relating to the list of the texts, and transmits to the device, video data

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relating to an image selected from the list of the images according to a selection command (Col 9 lines 32-36, Col 10 lines 54-59),

wherein the list of the images includes a plurality of images corresponding to main scenes of the plurality of video data (Col 9 lines 47-50).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Peng whose telephone number is (571) 270-1147. The examiner can normally be reached on Monday-Friday 09:00-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred Peng  
Patent Examiner



SCOTT E. BELIVEAU  
PRIMARY PATENT EXAMINER